

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 3:09-502-JFA
)	
v.)	ORDER
)	
MARVIN MANSFIELD)	
)	
_____)	

The defendant, Marvin Mansfield, pled guilty to drug conspiracy charges, and was sentenced to a custodial term of 188 months. He received a departure at sentencing under USSG § 5K1.1 for substantial assistance.

The government has now filed a motion for a reduction of sentence pursuant to Rule 35(b)(2) of the Federal Rules of Criminal Procedure. Specifically, the government suggests that the defendant has provided unrewarded substantial assistance in the investigation and prosecution of other individuals which conforms to the guidelines and policy statements issued by the United States Sentencing Commission pursuant to 28 U.S.C. § 994. In connection with its motion, the government recommends a reduction of two levels to a guideline range of 151 to 188 months imprisonment.

Consistent with its standard practice, this court advised the defendant that the government's motion to reduce his sentence had been filed and invited him to provide information that the court might consider in determining the extent of the departure. The defendant did not respond.

After carefully reviewing the materials submitted by the government, this court is of the opinion that a reduction is appropriate in this case. Therefore, the defendant's new offense level is 29 (from an offense level of 31) and the criminal history category remains at VI, yielding an advisory sentencing range of 151 to 188 months imprisonment.

Accordingly, the government's motion for a reduction of sentence (ECF No. 1185) is hereby granted. The custodial portion of the defendant's sentence is hereby reduced to a term of 151 months. All other aspects of the original sentence remain in full force. The Clerk is requested to docket the defendant's motion to compel (ECF No. 1174) as moot.

IT IS SO ORDERED.

May 28, 2013
Columbia, South Carolina

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge